

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No. 3:23-CV-04597-EMC

ASHLEY GJOVIK, *an individual*,

Plaintiff,

v.

APPLE INC, *a corporation*,

Defendant.

**[PROPOSED] ORDER COMPELING
PRODUCTION OF PLAINTIFF'S
REQUEST FOR PRODUCTION SET 1, NO.
15 THE "GOBBLER INFORMED
CONSENT FORM"**

**[PROPOSED] ORDER COMPELING PRODUCTION OF PLAINTIFF’S REQUEST
FOR PRODUCTION SET 1, NO. 15 THE “GOBBLER INFORMED CONSENT FORM”**

Pending before the Court is Plaintiff Ashley Gjovik’s Discovery Letter asking to Compel Defendant’s Production of Plaintiff’s Request for Production Set 1, No. 15.

Having considered the moving and opposition papers, arguments, and all other matters presented to the Court, the Court grants this motion and orders that Defendant produce this document within 10 days.

If Apple cannot produce the document, order Apple to file a sworn declaration within 10 days explaining: (a) what happened to evidence central to their defense, (b) why they did not disclose to Plaintiff or the court their evidence was gone, (c) what preservation efforts were undertaken, and (d) what steps can be taken to recover the document. This court also directs Apple to immediately preserve all systems, backup tapes, archives, and repositories where the 2017 Gobbler ICF might exist pending resolution of this dispute.

IT IS HEREBY ORDERED that Plaintiff’s Motion is Granted.

Dated: _____

JUDGE KANDIS A. WESTMORE

U.S. MAGISTRATE JUDGE